

KATHLEEN A. LEAVITT
CHAPTER 13 BANKRUPTCY TRUSTEE
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E-File: 07/09/2009

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

IN RE:

JOE G HOWARD
KATHERINE M HOWARD

Debtor(s).

Chapter 13
BKS-08-18330-BAM
MOTION TO DISMISS
PRE-HEARING CONFERENCE
Hearing Date: October 08, 2009
Hearing Time: 9:30 a.m.
MOTION TO DISMISS
Hearing Date: October 08, 2009
Hearing Time: 2:30 pm

Comes now KATHLEEN A. LEAVITT, Chapter 13 Bankruptcy Trustee in the above captioned bankruptcy case and for her motion states and alleges as follows:

1. Debtor(s) filed an Original Petition under Chapter 13, Title 11 of the United States Code on July 28, 2008.
2. Debtors Plan was confirmed by the Court on 12/22/2008.
3. The Trustee requests that this case be dismissed pursuant to 11 U.S.C. § 1307 (c) for one or more of the following reasons, to wit:
 - (c) For cause,
 - (c)(6) Material default by the debtor with respect to a term of a confirmed plan to wit:
 - Failure to respond to Trustee's Directive requesting the following information: Turn over 2008 tax refund for \$3709.

WHEREFORE, the Trustee prays the Court issue an order dismissing the within case for the reasons as stated above and that expenses in the amount of \$0.00 be allowed in this case.

DATED: 7/9/2009
JC

/s/ KATHLEEN A LEAVITT

Kathleen A. Leavitt
CHAPTER 13 BANKRUPTCY TRUSTEE